



## Missouri Department of Natural Resources

### PUBLIC NOTICE

#### DRAFT MISSOURI STATE OPERATING PERMIT

DATE: August 7, 2015

In accordance with the state Clean Water Law, Chapter 644, RSMo, Missouri Clean Water Commission regulation 10 CSR 20-6.010, and the Federal Clean Water Act, the applicants listed herein have applied for authorization to either discharge to waters of the state, or to operate a no-discharge wastewater treatment facility. The proposed permits for these operations are consistent with applicable water quality standards, effluent standards and/or treatment requirements or suitable timetables to meet these requirements (see 10 CSR 20-7.015 and 7.031). All permits will be issued for a period of five years unless noted otherwise in the Public Notice for that discharge.

On the basis of preliminary staff review and the application of applicable standards and regulations, the Missouri Department of Natural Resources (MDNR), as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions. The proposed determinations are tentative pending public comment.

Persons wishing to comment on the proposed permit conditions are invited to submit them in writing to: Missouri Department of Natural Resources Northeast Regional Office, 1709 Prospect Drive, Macon, Missouri 63552 ATTN: Water Pollution Technical Unit. **Please include the permit number in all comment letters.**

Comments should be confined to the issues relating to the proposed action and permit(s) and the effect on water quality. The MDNR may not consider as relevant comments or objections to a permit based on issues outside the authority of the Missouri Clean Water Commission, (see Curdt v. Mo. Clean Water Commission, 586 S.W.2d 58 Mo. App. 1979).

All comments must be received or postmarked by 5:00 p.m. on September 7, 2015. MDNR will consider all written comments, including e-mails, faxes and letters, in the formulation of all final determinations regarding the applications. E-mail comments will be accepted at the following address: [NERO@dnr.mo.gov](mailto:NERO@dnr.mo.gov). If response to this notice indicates significant public interest, a public meeting or hearing may be held after due notice for the purpose of receiving public comment on the proposed permit or determination. Public hearings and/or issuance of the permit will be conducted or processed according to 10 CSR 20-6.020.

Copies of all draft permits and other information including copies of applicable regulations are available for inspection and copying at MDNR's Website: <http://www.dnr.mo.gov/env/wpp/permits/permit-pn.htm>, or at the Missouri Department of Natural Resources Northeast Regional Office, 1709 Prospect Drive, Macon, Missouri 63552 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

MISSOURI CLEAN WATER COMMISSION



**MISSOURI STATE OPERATING PERMIT**

GENERAL PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92<sup>nd</sup> Congress) as amended,

Permit No. MO-G350329

Owner: Ayers Oil Company  
Address: PO Box 229, Canton, MO 63435

Continuing Authority: Same as above  
Address: Same as above

Facility Name: Ayerco #35  
Facility Address: 18099 Highway 161 N, Bowling Green, MO 63334

Legal Description: SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, Sec. 30, T53N, R2W, Pike County  
UTM Coordinates: X= 656991.699, Y= 4355141.442

Receiving Stream: Tributary to Cuivre Creek (U)  
First Classified Stream and ID: Cuivre Creek (C) (170.00)  
USGS Basin & Sub-watershed No.: (07110008-0202)

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

**FACILITY DESCRIPTION**

Outfall 001, 002, etc. - SIC #5169, 5171

Storm water discharges from facilities with above ground storage capacity of pre-consumer or post-consumer petroleum products, ethanol or biodiesel totaling more than 20,000 gallons, but less than 250,000 gallons.

This permit authorizes only wastewater, including storm water, discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

\_\_\_\_\_  
Issue Date

July 10, 2017  
Expiration Date

\_\_\_\_\_  
Sara Parker Pauley, Director, Department of Natural Resources

\_\_\_\_\_  
Irene Crawford, Regional Director, Northeast Regional Office

## APPLICABILITY

1. This permit authorizes the discharge of storm water from secondary containment, any clean water associated collection basins or water that has accumulated in sumps associated with dispensers. This permit is limited to those facilities with storage capacity of uncontaminated petroleum products totaling more than 20,000 gallons, but less than 250,000 gallons of petroleum products on site in above ground tanks. Facilities with less than 20,000 gallons are exempt from this permit as long as water quality is maintained in receiving streams. This includes wholesalers, retailers, industrial facilities, or private end users.
2. Holders of current site specific State Operating Permits who desire to apply for inclusion under this general permit should contact the department for requirements.
3. If at any time the Missouri Department of Natural Resources determines that the quality of waters of the state may be better protected by requiring the owner/operator of the permitted site to apply for a site specific State Operating Permit, the Department may do so.
4. If at any time the owner of a facility should desire to apply for a site specific State Operating Permit, the owner may do so.
5. This permit does not authorize the discharge of waters other than storm waters. It does not authorize discharges of domestic, cooling water or process wastewaters. Such discharges require a site specific NPDES permit.
6. This permit does not authorize the discharge of spilled materials or petroleum products drained from any equipment (transformers, trucks, cars, bulldozers, motorcycles, etc.). Spilled materials must be cleaned up within 24 hours. If the spilled material is a hazardous waste, it shall be managed as a hazardous waste. All such spills in an amount equal to or greater than 25 gallons shall be reported within 24 hours to the Department of Natural Resources.
7. This permit **does not authorize** discharges:
  - (a) Within 1,000 feet upstream or upgradient of a wetland\*, waters that have been identified as a losing stream, sinkhole, or other direct conduit to groundwater, or an outstanding state resource water\*.
  - (b) Within the watersheds of streams or lakes listed as an outstanding national resource water\* or their tributaries;
  - (c) Within 100 feet of a major reservoir (Class L2\*), permanently flowing stream (Class P\*) or intermittent stream (Class C\*);
  - (d) Within two stream miles upstream of biocriteria reference locations\*.
  - (e) Streams, lakes or reservoirs with the designated use of drinking water supply,
  - (f) Or streams, lakes, or reservoirs identified as critical habitat for endangered species.

\* Identified or described in 10 CSR 20, Chapter 7. These regulations are available at many libraries and online at [www.sos.mo.gov](http://www.sos.mo.gov), or may be purchased from MDNR by calling the Water Protection Program.
8. Facilities that are located within the watershed of the 303(d) listing of impaired waters will need to be evaluated, on a case-by-case basis, for inclusion under this general permit. Facilities that are found to be discharging the listed pollutant(s) of concern for impaired water may be required to obtain a site-specific permit.
9. This permit may be reopened and modified or alternatively revoked and reissued, to incorporate new or modified effluent limitations or other conditions, if the result of a wasteload allocation study, toxicity test, or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
10. A facility covered under this general permit may use a mechanical oil/water separator without obtaining a separate permit for the oil/water separator.

## EXEMPTIONS

1. Facilities that discharge storm water from secondary containment directly to a combined sewer system are exempt from storm water permit requirements.
2. Facilities with less than 20,000 gallons are exempt from permit requirements as long as water quality is maintained in receiving streams.

<b>A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS</b>					PAGE NUMBER 3 of 6	
					PERMIT NUMBER MO-G350329	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>All Outfalls</u> (Note 1)						
Flow	MGD	*		*	once/year	24 hr. estimate
Ethylbenzene	mg/L	0.32		0.32	once/year	grab
Oil and Grease	mg/L	15		10	once/year	grab
Total Petroleum Hydrocarbons	mg/L	10		10	once/year	grab
pH – Units	SU	**		**	once/year	grab
Ethanol	mg/L	*		*	once/year	grab
Stored Hazardous Wastes (Note 2)	µg/L	*		*	once/year	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>ANNUALLY</u> ; THE FIRST REPORT IS DUE <u>January 28, 20XX</u> . THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
<b>B. STANDARD CONDITIONS</b>						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

MO 780-0010 (8/91)

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** (continued)

\* Monitoring requirement only.

\*\* pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5-9.0 pH units.

Note 1 – Discharges from secondary containment or sumps. Storm water discharges not associated with secondary containment or sumps are not to be sampled unless requested by the department.

Note 2 – Hazardous waste regulated facilities shall also sample for any hazardous wastes stored at the facility within the past year. Contact the Hazardous Waste Program to determine analysis method for characterization. Facilities which do not store hazardous waste during the reporting period shall report “no discharge”.

## REQUIREMENTS

Note: These requirements do not supersede nor remove liability for compliance with county and other local ordinances.

1. **For New or Expanding Facilities:** The primary requirement of this permit is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For new facilities applying for coverage under this general permit, or those seeking to expand, accompanying the permit application must be a SWPPP that includes an analysis of the Best Management Practices (BMPs). This analysis is a structured evaluation of BMPs that are reasonable and cost effective. The evaluation should include practices that are designed to be 1) non-degrading 2) less degrading, or 3) degrading water quality. The chosen BMP will be the most reasonable and cost effective while ensuring that the highest statutory and regulatory requirements are achieved and the highest quality water attainable for the facility is discharged. The analysis must demonstrate why “no discharge” or “no exposure” is not a feasible alternative at the facility. This structured analysis of BMPs serves as the Antidegradation review, fulfilling the requirements of 10 CSR 20-7.031(2). For new facilities that have been issued coverage under this general permit for the first time, the SWPPP must be prepared within 60 days and implemented within 180 days of the permit issuance. The SWPPP must be kept on-site and should not be sent to DNR unless specifically requested. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document:

For both new and expanding facilities, the Best Management Practices chosen through the Alternative Analysis must be implemented and maintained at the facility. Failure to implement and maintain the chosen alternative is a permit violation.

**For existing facilities,** the existing SWPPP for your facility, including the assessments and evaluations noted below, must be revisited and revised (if necessary) within 30 days of reissuance of coverage. This general permit requires all facilities to develop a SWPPP. The SWPPP must be kept on-site and should not be sent to DNR unless specifically requested. The permittee shall select, install, use, operate, and maintain the Best Management Practices prescribed in the SWPPP in accordance with the concepts and methods described in the following document:

Storm Water Management For Industrial Activities, Developing Pollution Prevention Plans and Best Management Activities, (Document number EPA 832-R-92-006) published by the United States Environmental Protection Agency (USEPA) in September 1992.

The SWPPP must include the following:

- (a) An assessment of all storm water discharges associated with the facility. This must include a list of potential contaminants and an annual estimate of amounts that will be used in the described activities.
  - (b) A listing of Best Management Practices (BMPs) and a narrative explaining how BMPs will be implemented to control and minimize the amount of potential contaminants that may enter storm water.
  - (c) A schedule for implementing the BMPs.
  - (d) The SWPPP must include a schedule for a monthly site inspection and a brief written report. The inspections must include observation and evaluation of BMP effectiveness, deficiencies, and corrective measures that will be taken. Deficiencies must be corrected within seven days and the department must be notified by letter. Any corrective measure that necessitates major construction may also need a construction permit.
  - (e) Inspection reports must be kept on site with the SWPPP. These must be made available to DNR personnel upon request.
  - (f) A provision of designating an individual to be responsible for environmental matters.
  - (g) A provision for providing training to all personnel involved in material handling and storage, and housekeeping of areas having materials exposed to stormwater. Proof of training shall be submitted on request of DNR.
2. The purpose of the SWPPP and the BMPs listed therein is to prevent pollutants from entering waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR20-2.010(56)] of waters of the state, or failed to achieve compliance with benchmarks. Corrective action means the facility took steps to eliminate the deficiency.
  3. The following are minimum BMPs that must be implemented at all facilities:
    - (a) Collection facilities shall be provided onsite, and arrangements made for proper disposal of waste products which may be exposed to storm water.
    - (b) Permittee shall provide sediment and erosion control sufficient to prevent pollution to waters of the state and comply with the effluent limitations and other permit conditions. This may require the construction of properly designed sediment basins or other treatment structures. The permittee shall not allow mined material or overburden to enter waters of the state as necessary to meet effluent limitations and benchmark provided herein.

REQUIREMENTS (continued)

- (c) All fueling facilities present onsite shall adhere to applicable federal and state regulations concerning underground storage, aboveground storage, and dispensers, including spill prevention, control and countermeasures.
- (d) All chemicals and waste products (except fuels), and storage containers (such as drums cans, or cartons) shall be stored so that these materials are not exposed to storm water. Drums, barrels, tanks and similar containers that are sealed without operational taps or valves are not considered exposed to storm water. Commingled water may not be discharged under this permit. Spill prevention, control, countermeasures and/or management shall be provided sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
- (e) Good housekeeping practices shall be maintained on the site to keep solid waste from entry into waters of the state.

4. Water Quality Standards

- (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
  - (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
    - (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
    - (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
    - (3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
    - (4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
    - (5) There shall be no significant human health hazard from incidental contact with the water;
    - (6) There shall be no acute toxicity to livestock or wildlife watering;
    - (7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
    - (8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.
5. This permit requires sampling of discharges of accumulated storm water from secondary containment, any clean water associated collection basins or water (including water containing the pollutants described in Table A) that has collected in sumps associated with dispensers. Sampling of storm water discharges not associated with secondary containment will be at the request of the department only. Report "No Discharge" if there were no discharges from secondary containment in a given quarter.
6. All paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) shall be stored so that these materials are not exposed to storm water. Spill prevention, control, and/or management shall be provided sufficient to prevent any spills of these pollutants from entering a water of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
7. Collection facilities shall be provided on-site, and arrangement made for proper disposal of waste products, including but not limited to petroleum waste products and solvents.
8. Good housekeeping practices shall be maintained on the site to keep solid waste from entry into waters of the state.
9. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and counter measures.
10. An individual shall be designated by the permittee as responsible for environmental matters. Staff of the permitted facility shall inspect, on each workday, any structures that function to prevent pollution of storm water or to remove pollutants from storm water and of the facility in general to ensure that any Best Management Practices are continually implemented and effective.

#### REQUIREMENTS (continued)

11. All involved personnel shall be trained in material handling and storage, and housekeeping of areas having materials exposed to stormwater. Upon request, proof of training shall be submitted to the Department.
12. Once a month on workdays, the tank system shall be visually inspected to identify problem areas that could lead to a leak. Identified problems shall be repaired immediately. Areas to inspect include tank foundations, connections, coatings, tank walls, and the piping system for corrosion, leaks, or other physical damage that may weaken the tank system. A log of such inspections and findings shall be kept on-site for a period of five years and made available to staff of the Department of Natural Resources for viewing upon request.
13. The discharge of storm water from these facilities shall not cause a violation of the state water quality standards, 10 CSR 20-7.031. There shall be no discharge of waters with a visible sheen, even if this water complies with the numeric effluent limits in Table A. The Department will allow installation of an oil and water separator to meet this requirement. Installation of an oil and water separator will require a construction permit. Contact the Department for information or questions regarding oil and water separators.

#### TERMINATION OF PERMIT

If the activities covered by this permit have ceased and no significant materials (as defined by 10 CSR 20-6.200) remain on the property, the permittee may request termination of this permit. To request termination, the permittee must submit Form H – “Request for Termination of a General Permit.”

#### PERMIT TRANSFER

This permit may be transferred to a new permittee by submitting an “Application for Transfer of Operating Permit” signed by the transferor and transferee of the facility, along with the appropriate modification fee.

#### PERMIT RENEWAL REQUIREMENTS

Unless this permit is terminated, the permittee shall submit an application for the renewal of this permit no later than six (6) months prior to the permit’s expiration date. Failure to apply for renewal may result in termination of this permit and enforcement action to compel compliance with this condition and the Missouri Clean Water Law.

#### DUTY OF COMPLIANCE

The permittee shall comply with all conditions of this general permit. Any noncompliance with this general permit constitutes a violation of Chapter 644, Missouri Clean Water Law, and 10 CSR 20-6. Noncompliance may result in enforcement action, termination of this authorization, or denial of the permittee's request for renewal.





## Missouri Department of Natural Resources Fact Sheet – Master General Permit Renewal

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollution Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States, and the release of storm water from certain point sources. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Permits in Missouri are issued by the Director of the Missouri Department of Natural Resources (department) under an approved program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended). NPDES operating permits are issued for a period of five (5) years unless otherwise specified.

A Fact Sheet gives pertinent information regarding the applicable regulations, rational for the development of the NPDES Missouri State Operating Permit (operating permit), and the public participation process for operating permit listed below.

A Fact Sheet is not an enforceable part of an operating permit.

This Fact Sheet is for a Major ☐, Minor ☐, Industrial Facility ☐; Variance ☐;  
Master General Permit ☒; and/or permit with widespread public interest ☐.

### Facility Information

The following Facility Information shall appear on the coverage document issued to a General Permit Covered Facility.

NPDES #:

Facility Name:

Facility Address:

Owner's Name:

Owner's Address:

Facility Region:

Facility County:

Facility Type:

Facility SIC Code(s):

Facility Description: Storm water discharges from facilities with above ground storage capacity of petroleum  
products, ethanol, or biodiesel totaling more than 20,000 gallons, but less than 250,000  
gallons.

### Outfalls

A full description of each outfall shall appear on the coverage document issued to a General Permit Covered Facility. The following information is required for each outfall.

Outfall #001

Legal Description: (detailed)

UTM Coordinates: X= ..., Y= ...

Receiving Stream: Name (U), (C), (P) etc...

First Classified Stream and ID: Name (C) (P) (03216)

USGS Basin & Sub-watershed No.: (# – #)

Please mark the correct designated waters of the state categories of the receiving stream.

Missouri or Mississippi River [10 CSR 20-7.015(2)]:	Yes <input checked="" type="checkbox"/> ; No <input type="checkbox"/>
Lake or Reservoir [10 CSR 20-7.015(3)]:	Yes <input checked="" type="checkbox"/> ; No <input type="checkbox"/>
Lossing [10 CSR 20-7.015(4)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>
Metropolitan No-Discharge [10 CSR 20-7.015(5)]:	Yes <input checked="" type="checkbox"/> ; No <input type="checkbox"/>
Special Stream [10 CSR 20-7.015(6)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>
Subsurface Water [10 CSR 20-7.015(7)]:	Yes <input type="checkbox"/> ; No <input checked="" type="checkbox"/>
All Other Waters [10 CSR 20-7.015(8)]:	Yes <input checked="" type="checkbox"/> ; No <input type="checkbox"/>

10 CSR 20-7.031 Missouri Water Quality Standards, the department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 1<sup>st</sup> classified receiving stream's beneficial water uses to be maintained are located in the Receiving Stream Table located below in accordance with [10 CSR 20-7.031(3)].

Comments: Facilities that discharge to a public drinking water supply waterbody have been excluded from this permit. Effluent limits based on protection of drinking water have also been removed, which were Benzene, Toluene & Xylene. Effluent limits for MTBE were removed due to Missouri fuel mandates requiring the use of ethanol.

## **Rationale and Derivation of Effluent Limitations & Permit Conditions**

### **ANTI-BACKSLIDING:**

A provision in the Federal Regulations [CWA §303(d)(4); CWA §402(c); CFR §122.44(I)] that requires a reissued permit to be as stringent as the previous permit with some exceptions.

☒ - All limits in this Fact Sheet are at least as protective as those previously established; therefore, backsliding does not apply.

☐ - Backsliding proposed in this Fact Sheet for the reissuance of this permit conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 § CFR 122.44.

### **ANTIDEGRADATION:**

Antidegradation policies are such to ensure protection of water quality for a particular water body where the water quality exceeds levels necessary to protect fish and wildlife propagation and recreation on and in the water. This also includes special protection of waters designated as outstanding natural resource waters. Antidegradation plans are adopted by each State to minimize adverse effects on water.

In accordance with Federal and State Regulations, 40 CFR § 131.12(a) and 10 CSR 20-7.031(2) respectively, all permitted discharges must undergo an antidegradation review in order to demonstrate:

- (1) Existing instream uses are maintained and protected
- (2) Social and Economic importance for degradation of waters
- (3) Exceptional or outstanding waters are maintained and protected

In accordance with Missouri's Antidegradation Implementation Procedure (AIP), any discharge may assume significant degradation and complete an alternatives analysis to show the highest level of attainable effluent treatment. The conclusion of the analysis will show the highest level of attainable effluent treatment that is practicable, effective, reliable, and economically efficient. The following list of policies will be considered the alternative options for MOG350000:

1. water re-use opportunities (i.g. haul road watering and use of spray bars for dust suppression or irrigation)
2. land application
3. pump and haul
4. exposure control involving clean stormwater discharges related to the SWPPP
5. oil and water separators involving stormwater discharges that have collected oil, grease and other hydrophobic substances

Items 1-5 have been determined to be a cost effective treatment technology. The following links provide costing information and application rates for Alum treatment. The other alternatives should be addressed in the SWPPP that is required to obtain the operating permit.

[http://www.dnr.state.wi.us/org/water/fhp/papers/alum\\_brochure.pdf](http://www.dnr.state.wi.us/org/water/fhp/papers/alum_brochure.pdf)

<http://www.indianafishfarming.com/images/stories/Workshops/Production/PondSystems/460fs%20-%20Pond%20Clay%20Turbidity.pdf>

## Missouri Antidegradation Rule and Implementation Procedure

(1) Section II Part A

The discharge will not be considered significant degradation if the activity will only result in temporary degradation. Consultation with the department and a detailed operating timeline will be necessary to determine whether or not this is a viable option. If temporary degradation is applicable the permittee will submit the following information:

- (a) Length of time water quality will be lowered.
- (b) % change in ambient conditions
- (c) Parameters affected
- (d) Potential for any residual long-term influences on existing uses.

(2) All other situations

Significant degradation will occur. Independent evaluation of the listed BMP's must be completed. BMP's must also be considered in conjunction as separate alternatives.

Applicable ☐;

Please see **APPENDIX B – ANTIDEGRADATION ANALYSIS**.

Not Applicable ☒;

As per [10 CSR 20-7.031(2)(D)], the three (3) levels of protection provided by the antidegradation policy in subsections (A), (B), and (C) of this section shall be implemented according to procedures developed by the department. *Missouri Antidegradation Rule and Implementation Procedure*, when approved, shall be applicable to new or upgraded/expanded facilities only.

### **APPLICABLE PERMIT PARAMETERS:**

Effluent parameters for conventional, non-conventional, and toxic pollutants have been obtained from the previous NPDES operating permit for this facility, technology based effluent limits (TBEL), and from appropriate sections of the renewal application.

### **STORM WATER POLLUTION PREVENTION PLAN (SWPPP):**

In accordance with 40 CFR 122.44(k) *Best Management Practices (BMPs)* to control or abate the discharge of pollutants when: (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities; (2) Authorized under section 402(p) of the CWA for the control of storm water discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA.

In accordance with the EPA's *Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators*, (Document number EPA 833-B-09-002) [published by the United States Environmental Protection Agency (USEPA) in February 2009], BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure.

Additionally in accordance with the Storm Water Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of storm water discharges.

Other guidance regarding the development and implementation of a SWPPP can be found at <http://dnr.mo.gov/env/wpp/stormwater/sw-industrial-permits.htm>

### **BMP corrective action vs. maintenance:**

**Maintenance:** Maintenance related to BMPs at a facility are activities done regularly to keep the BMPs in good condition and working order.

**Corrective Action:** Are activities that are done to correct a deficiency BMPs related to an exceedance of the established pollutant benchmarks, violations of the water quality standard, or violations of permit conditions.

Applicable ☒;

A SWPPP shall be developed and implemented for each site and shall incorporate required practices identified by the Department with jurisdiction, incorporate erosion control practices specific to site conditions, and provide for maintenance and adherence to the plan.

Not Applicable ☐;

At this time, the permittee is not required to develop and implement a SWPPP.

**WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:**

As per [10 CSR 20-2.010(78)], the amount of pollutant each discharger is allowed by the department to release into a given stream after the department has determined to total amount of pollutant that may be discharged into that stream without endangering its water quality.

Applicable ☐;

Not Applicable ☒;

Wasteload allocations were not calculated.

**WHOLE EFFLUENT TOXICITY (WET) TEST:**

As per [10 CSR 20-7.031(1)(CC)], a toxicity test conducted under specified laboratory conditions on specific indicator organism; and as per [40 CFR §122.2], the aggregate toxic effect of an effluent measured directly by a toxicity test.

Applicable ☐;

Effective July 15, 2005, upon revision, renewal, modification, or issuance, all Missouri State Operating Permits under the NPDES will incorporate use of the following guidelines for determining the applicability and requirements for WET testing. WET testing requirements are established by the WET Test Policy, 120 § 308 of the Federal Water Pollution Control Act, and 40 CFR § 136. Please check WET tests applicability for this facility:

- All major discharge facilities ☐;
- Facilities that are exceeding or routinely exceed their design flow ☐;
- Most municipals, domestic sewage dischargers ☐;
- Industrial dischargers or other dischargers that may alter their production processes throughout the year ☐;
- Facilities that may handle toxic substances ☐; or
- Facilities that have been granted seasonal relief of numeric limitations ☐.

Not Applicable ☒;

At this time, the permittee is not required to conduct WET test for this facility.

***Each Outfall*****EFFLUENT LIMITATIONS TABLE:**

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS PERMIT LIMITATIONS
FLOW	GPD	1	*		*	NO	
Ethylbenzene	MG/L	2/3	0.32		0.32	NO	
OIL & GREASE (MG/L)	MG/L	2/3	15		10	NO	
Total Petroleum Hydrocarbons	MG/L	2/3	10		10	NO	
Ethanol	MG/L	8	*		*	NO	
pH (S.U.)	SU	2/3	6.5 – 9		6.5 – 9.0	NO	
TEMPERATURE (°C)	°C	2/3	*		*	NO	

\* Monitoring requirement only

N/A – Not applicable

Basis for Limitations Codes:

- |  |                                   |
|--|-----------------------------------|
| 1. State or Federal Regulation/Law     | 6. Antidegradation Policy         |
| 2. Water Quality Standard <sup>2</sup> | 7. Water Quality Model            |
| 3. Water Quality Based Effluent Limits | 8. Best Professional Judgement    |
| 4. Lagoon Policy                       | 9. TMDL or Permit in lieu of TMDL |
| 5. Ammonia Policy                      | 10. WET test Policy               |

<sup>2</sup> – Water Quality Standards also includes Reasonable Potential Analysis.

#### **DERIVATION AND DISCUSSION OF LIMITS:**

- **Ethylbenzene** Protection of aquatic life; 0.320 mg/L 10 CSR 20-7.031 Table A
- **Oil & Grease** Limits carried over from previous permit. Protection of aquatic life; 10 mg/L monthly average, 15 mg/L daily maximum. 10 CSR 20-7.031 Table A.
- **Total Petroleum Hydrocarbons** Limits carried over from previous permit.
- **Total Suspended Solids (TSS)**. Effluent limitations consistent with limits applied to other industrial storm water facilities, and are believed to be protective of General Criteria Water Quality Standards.
- **pH** water contaminants shall not cause pH to be outside the range of 6.5 to 9.0. 10 CSR 20-7.031(4)(E).
- **Temperature**. Monitoring only. Water held in secondary containment has the potential to have a higher temperature than the receiving stream during certain parts of the year.

#### **Minimum Sampling and Reporting Frequency Requirements**

In response to comments received during public notice, monitoring has been established at once per year. The previous permit contained no required monitoring. The draft permit was placed on public notice with quarterly monitoring.

#### **Administrative Requirements**

##### **PUBLIC NOTICE:**

As per the Missouri Clean Water Law, the Missouri Clean Water Commission, and the federal Clean Water Act, persons wishing to comment on Missouri State Operating Permits are directed to do so by a department approved Public Notice coversheet. This Public Notice coversheet is attached to a Missouri State Operating Permit during the Public Notice period.

The Public Notice period for this operating permit began on May 25, 2012 and ended on June 25, 2012. No comments were received by the Department during the Public Notice period.

**Date of Fact Sheet:** 04/12/2012

Curt B. Gateley, ESIV  
Water Protection Program  
(573) 526-1155  
[curtis.gateley@dnr.mo.gov](mailto:curtis.gateley@dnr.mo.gov)